

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q89815

Hirofumi NAKAMURA, et al.

Appln. No.: 10/547,330

Group Art Unit: 1632

Confirmation No.: 7031

Examiner: NOT YET ASSIGNED

Filed: September 1, 2005

For: TRANSGENIC PLANTHAVING FRUCTOOLIGOSACCHARIDE ACCUMULATED

THEREIN AND PROCESS FOR CONSTRUCTING

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for U.S. patents and/or U.S. patent publications, together with a copy of a Supplementary European Search Report and Annex for counterpart European Application No. EP 04 71 6353 wherein the listed documents were cited.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

Applicant encloses herewith a copy of the communication from the European Patent Office in the counterpart application citing such documents, together with an English-language version of at least that portion of the communication indicating the degree of relevance found by the European Patent Office.

It is noted that one of the three references cited in the Supplemental European Search Report was previously cited in the Information Disclosure Statement of September 1, 2005, and thus is not being submitted again.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT Attorney Docket No.: Q89815

U.S. Appln. No.: 10/547,330

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860

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23373 CUSTOMER NUMBER

Date: November 8, 2006

Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet

Examiner Signature

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-		MODIFIED PTO/SB/08 A & B (08-03			
	Complete if Known				
ı	Application Number	10/547,330			
ı	Confirmation Number	7031			
ı	Filing Date	September 1, 2005			
Į	First Named Inventor	Hirofumi NAKAMURA			
Į	Art Unit	1632			
	Examiner Name	NOT YET ASSIGNED			
ı	Attorney Docket Number	089815			

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	_	US	1		

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	Date Considered		
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, this form with next communication to applicant.	Draw line through citation if no	t in conformance and not considered.	include copy of

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